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HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (S) No. 7528 of 2007

PETITIONERS

- 1 Tairash Kerketta, aged about 55 years, S/o Shri Abbraham Kerketta, presently working as Gangman, under the P.W.D. Kansabel, R/o Village Pakritoli, Post Bandarchuwan, Distt. Jashpur (C.G)
- 2 Chaitan Ram, aged about 49 years, S/o late Jhupan Ram, presently working as Gangman, under the P.W.D. Kansabel, R/o village Bandarchuwan, Distt. Jashpur (C.G).
- 3 Rajkishore, S/o late Pawan Sai, aged about 55 years, presently working as Gangman, under P.W.D., Kansabel, R/o. Vill.- Khuntitoli, Post Chetba, Distt. Jashpur(C.G)
- 4 Rameshwar Ram, S/o Shri Somra Ram, aged about 48 years, working as Gangman, under P.W.D - Kansabel, R/o Vill.- Muskuti, Post Bandarchuwan, Distt. Jashpur (C.G).
- 5 Sukru Ram S/o Ghura Ram, aged about 57 years, working as Gangman, under P.W.D. Kansabel, R/o village Narayanbahli, Post Chetba, Distt. Jashpur (C.G).
- 6 Prem Sagar, S/o Late Dhaneshwar, aged about 48 years, working as Gangman, under P.W.D. Kansabel, R/o village Pongro, Post Pongro, Distt. Jashpur (C.G)
- 7 Ramdeo Ram, S/o Late Fitul, aged about 55 years, presently working as Gangman, under P.W.D.-Kansabel, Distt. Jashpur, R/o Village Narayanbahli, Post Chetba, Distt. Jashpur (C.G).
- 8 Ram Lakhan, S/o Ranjit, aged about 57 years, working as Gangman, under P.W.D. Kansabel, R/o village Lamdand, Post Kansabel, Distt. Jashpur (C.G)
- 9 Dilbandhu, S/o Late Vifai Sai, aged about 54 years, working as Gangman, under P.W.D. Kansabel, R/o.village Kansabel, Post Kansabel Distt. Jashpur (C.G.)

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- 10 Rukhnath Ram, S/o Late Sanu, aged about 56 years, working as Gangman, under P.W.D. Kansabel, R/o. village Narayanbahli, Post Chetba, Distt. Jashpur (C.G.)

Versus**RESPONDENTS**

- 1 State of Chhattisgarh, through the Secretary Department of Public Works, Dau Kalyan Singh Bhawan, Raipur (C.G.)
- 2 Executive Engineer, Public Works Department, Division - Jashpur, Distt. Jashpur (C.G.)
3. Sub Divisional officer, Sub Division - Patthalgaon, Public Works Department, Distt. Jashpur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA**Appearance:**

Shri Vinod Tekam, counsel for the petitioners.

Shri Sumit Verma, Panel Lawyer for the State/ respondents.

ORAL ORDER
(19.12.2007)**SUNIL KUMAR SINHA, J.**

Heard.

Learned counsel for the petitioners submits that a permanent Gang-man is to be retired at the age of 62 years in accordance with the *Chhattisgarh Shaskiya Sevak (Adhivarshiki-Ayu) Adhiniyam 1967* read with Fundamental Rules, 56. He also submits that the point raised has been decided by this Court in batch of matters i.e. W.P.No.108/2005 and many other connected matters on 04.01.2007, reported in **2007 (2) C.G.J.J. 29 (Govind & others Vs. State of C.G.)** and this matter is squarely covered by that decision, which may be disposed of on the same terms.

Learned counsel for the State fairly agrees that this matter is covered by the said decision. However, he submits that in some matters the State has filed writ appeals.

Unless some interim order is passed, merely on account of filing of the writ appeal, hearing of this writ petition cannot be



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kept in abeyance, when the matter is squarely covered by the said judgment.

In the result, this petition is allowed.

It is disposed of in terms of the order dated 04.1.2007 passed in W.P. No.108/2005 and other connected matters. No order as to costs.

Sd/-

Sunil Kumar Sinha
Judge

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